



Fw: Freedom of Information Act Request
FOIA HQ to: Vicki Ferguson, R8foia
Sent by: LindaE Green

12/27/2011 09:40 AM

From: FOIA HQ
To: Vicki Ferguson/R8/USEPA/US@EPA, R8foia@epa.gov
Sent by: LindaE Green/DC/USEPA/US

The attached request appears to be for action in EPA Region 8. However, if you learn that EPA HQ needs to take action on this, please send it to the FOIA Group Box (hq.foia@epa.gov) with Special Instructions. Thank you.

----- Forwarded by LindaE Green/DC/USEPA/US on 12/27/2011 11:34 AM -----

From: Lisa Forbes <forbes@twhlaw.com>
To: FOIA HQ@EPA
Date: 12/23/2011 01:39 PM
Subject: Freedom of Information Act Request



ORD FOIA.pdf

TEMKIN WIELGA & HARDT LLP

1900 Wazee Street, Suite 303

Denver, Colorado 80202

December 23, 2011

VIA EMAIL & REGULAR MAIL

National Freedom of Information Officer
U.S. Environmental Protection Agency
Office of Research and Development
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
E-mail: hq.foia@epa.gov

Re: Freedom of Information Act Request

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, the United States Environmental Protection Agency's ("EPA") FOIA implementing regulations, 40 C.F.R. Part 2, and any other applicable federal statutes, rules and regulations, Temkin Wielga & Hardt, LLP ("TWH") hereby requests the following records^{1,2} from EPA related to EPA's investigation of water quality conditions in the Pavillion Field area in Fremont County, Wyoming:

1. Attachment 1 (the Monitoring Well Installation Work Plan Narrative) to the May 2010 Final Monitoring Well Installation Work Plan, Pavillion, Wyoming.
2. Field Activity notes, memoranda, logs, core logs, mud gas logs, well construction diagrams, associated well construction permits, data (including porosity measurements and water levels) and all other records related to the drilling, installation, or sampling of the two EPA deep monitoring wells. This request includes all records related to the analysis of cuttings, drilling mud and drilling fluids from samples of them taken at the time of drilling; to the analysis of water used during drilling, well development or sampling; to the analysis of water used

¹ "Records" as used herein is employed in its broadest sense and includes, but is not limited to, the original, each draft, and any non-identical copies of any written, recorded, electronic or graphic material of any kind, whether prepared by you or by any other person, that are in your possession, custody, or control or that of your agents, attorneys, or accountants.

² In accordance with the President's directive in the January 21, 2009 Memorandum For The Heads of the Executive Departments and Agencies, EPA is required to provide records in a "form that the public can readily...use." Thus, please provide these records in their original form and in a format that can be manipulated.

(during drilling, installation, or sampling) after the time at which it was delivered to the EPA deep well locations and after its on-site storage; and also to the analysis of sample preparation and QA/QC for those analyses. This request excludes records posted on the EPA's website before January 5, 2012.

3. All records of the methods and materials used in drilling the two EPA deep wells to join lengths of well casing together and the methods and chemicals used to clean and decontaminate well casing and down hole drilling and monitoring equipment before being placed down hole, including verification swab samples. This request excludes records posted on the EPA's website before January 5, 2012.
4. All records on disposal of cuttings, drilling fluids, muds and other materials, and any other products or chemicals used in drilling and installation of the two deep monitoring wells. This request excludes records posted on the EPA's website before January 5, 2012.
5. MSDSs for all products and other chemicals used in connection with drilling, installation, cleaning and decontamination, and sampling of the two EPA deep groundwater wells, including drilling chemicals, pipe dopes, solvents, cleaners, adhesives (including electrical or other tape), lubricants, and sealing agents. This request excludes records posted on the EPA's website before January 5, 2012.
6. Product specifications, including model names and numbers, and equipment serial numbers where applicable, for all equipment installed or placed in the deep monitoring wells, including pumps, motors, fittings, cements, grouts, steel, pipe dopes, down hole measurement equipment and cable, and other data loggers. This request excludes records posted on the EPA's website before January 5, 2012.
7. All records related to the Sampling and Analysis Plans, Quality Management Plans, and Quality Assurance Project Plans associated with the October 2010 Field Sampling Event, including documents, emails, or correspondence internal or external to EPA, related to the review and approval of these plans. This request excludes records posted on the EPA's website before January 5, 2012.
8. All records related to EPA's soil gas sampling efforts in the Pavillion Field area or any evaluation of the same. This request excludes records posted on the EPA's website before January 5, 2012.

9. All records concerning the source and preparation of the standards used for adamantane, 1,3-dimethyldamantane, 2-butoxyethanol, tris(2-butoxyethyl) phosphate, squalene, and terpinol in water samples from the Pavillion Field area. This request excludes records posted on the EPA's website before January 5, 2012.
10. All records of the analytical method development done by the Robert S. Kerr Environmental Research Center ("Kerr"), Shaw Environment and Infrastructure Inc. ("Shaw"), or the Office of Research and Development ("ORD") or any of its contractors for all methods used in connection with water samples from the Pavillion Field area, including how detection limits were set. This request excludes records posted on the EPA's website before January 5, 2012.
11. All records related to the discrepancies in reporting limits and detections between or among the analytical results from Kerr, Shaw, EPA Region 3 Laboratory, and EPA Region 8 Laboratory, or any other laboratory that EPA had analyze water samples from the Pavillion Field area. This request excludes records posted on the EPA's website before January 5, 2012.
12. All records related to the laboratory reports from EPA Region 8, EPA Region 3, Kerr, Shaw, ORD (including its contractors), or any other laboratory for water samples from the Pavillion Field area, including the full laboratory reports. This request excludes records posted on the EPA's website before January 5, 2012.
13. All records related to the chromatograms from EPA Region 8, EPA Region 3, Kerr, Shaw, ORD (including its contractors) or any other laboratory for all water samples from the Pavillion Field area and any documents that provide an explanation for the reason the chromatograms are not available. This request excludes records posted on the EPA's website before January 5, 2012.
14. All mass spectra from EPA Region 8, EPA Region 3, Kerr, Shaw, ORD, and any other laboratory for all water samples analyzed from the Pavillion Field Area using GC/MS, HPLC or equivalent methods, and any documents that provide an explanation for the reason a mass spectra was not performed or available. This request excludes records posted on the EPA's website before January 5, 2012.
15. All records of and related to citizens' complaints.

16. All records from January 1, 2005 to present reflecting communications within ORD (including the Kerr Laboratory) regarding the Pavillion Field area, including those copied to or sent to others.
17. All records from January 1, 2005 to present reflecting communications with personnel at Shaw or at any ORD contractor regarding the Pavillion Field area.
18. All records from January 1, 2005 to present reflecting communications with personnel at EPA Region 3 (including the Region 3 Laboratory) regarding the Pavillion Field area.
19. All records from January 1, 2005 to present reflecting communications with EPA Region 8 (including the Region 8 Laboratory) regarding the Pavillion Field area.
20. All records from January 1, 2005 to present reflecting communications with ATSDR regarding the Pavillion Field area, including: their analysis of EPA Region 8's Extended Site Investigation data for Pavillion area wells; the preparation of the August 31, 2010 "Health Consultation for Private Residential Well Water in the Pavillion Field;" and the preparation for the ATSDR presentation at the August 31, 2010 public meeting.
21. All records from January 1, 2005 to present reflecting communications with private individuals, news outlets, reporters or media representatives, non-profit organizations or advocacy groups, or government officials (including local, state and federal executive and legislative branches), related to the Pavillion Field area. This request excludes those records produced in response to Requests 15-20.

If any part of this/these record(s) is not produced based on a claim of privilege or other exemption from disclosure, please prepare a privilege and/or exemption log describing, at a minimum: (i) the type of record withheld; (ii) the dates of creation of the record; (iii) the subject of the record; (iv) identity of the author and all recipients of the record; (v) the names of all people, entities and locations referenced in the record; and (vi) a detailed description of the basis upon which EPA is withholding the record and which specific statutory and regulatory provisions support the withholding. To the extent any responsive documents are withheld based upon a claim of privilege or exemption, please include those documents on the privilege/exemption log with an indication that they contain non-privileged or non-exempt material contained within such documents.

EPA has twenty (20) business days to respond to this FOIA request. TWH confirms its willingness to pay reasonable costs associated with searching for, and copying the requested material; however, should these costs exceed \$1,000, please contact me prior to proceeding.

National Freedom of Information Officer
U.S. EPA, ORD
December 23, 2011
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Please contact me with any inquiries, notices or determinations at the address or telephone number above (or at 303-382-2901) or by email at brown@twhlaw.com.

Sincerely,

A handwritten signature in black ink that reads "Nea Brown". The signature is written in a cursive, flowing style.

Linnea ("Nea") Brown